



## **BUREAU OF AUTOMOTIVE REPAIR**

### **Advisory Group Meeting**

**January 12, 2004**



### **MEETING MINUTES**

- **Advisory Group members in attendance:**

|                              |              |               |
|------------------------------|--------------|---------------|
| Dennis DeCota                | Alice Scott  | Lou Anapolsky |
| Paul Frech                   | Marty Keller | George Hritz  |
| Jack Molodanof               | Chris Walker | Jennifer Zins |
| Brian Maas (for Peter Welch) |              |               |

- **BAR staff in attendance:**

|                 |               |             |
|-----------------|---------------|-------------|
| Patrick Dorais  | Richard Mundy | Gary Hunter |
| James Goldstene | Wayne Ramos   | Allen Wood  |
| Debbie Romani   | Jim Allen     | Dan Povey   |

- ◆ **Welcoming Remarks and Introductions:**

Mr. Dorais called the meeting to order at 9:40 a.m. and welcomed the Advisory Group and public attendees. Mr. Dorais facilitated introductions of the Advisory Group.

- ◆ **Opening Comments:**

Mr. Dorais discussed the Sunset Review hearing held on January 6, 2004, and expressed his appreciation for the Advisory Group and other industry members' participation at the hearing. He indicated that he would like to see the Advisory Group take the initiative to look at some of the issues that were addressed at the hearing, especially on the issue of improving communication and dialogue between BAR and the industry. Mr. Dorais suggested that members might want to think about three to five ideas to improve communications between the industry and BAR, taking into consideration the current budget constraints, and be prepared to discuss them in a brainstorming session at the next meeting of the Advisory Group.

- ◆ **Alternatives to the Notice of Violation (NOV):**

Mr. Dorais indicated that he would like to conclude the alternative to the Notice of Violation issue today. The Group started by reviewing the draft document that had been sent out to the Group for comment on December 12, 2003. Mr. Dorais commented that the document should be something that both the BAR Field Offices and the DCA Mediation Centers could use. Mr. Dorais requested comments and suggestions from the Group. Several changes were suggested and discussion continued on the original purpose of the notice. The Group identified the following purposes:

Purposes of the Notice:

- Advise Automotive Repair Dealers (ARD) regarding applicable laws and regulations.
- Educate the ARD.
- Notify ARD ownership.
- Provide the ARD with incentive to review practices and procedures.

After further discussion, Marty Keller of the Automotive Repair Coalition (ARC), suggested that the Advisory Notice be used during a six-month pilot program. The BAR could continue to review its use as it is applied “in the real world.” Mr. Keller also suggested that public meetings be held with industry to introduce and hear comments about the Advisory Notice before and/or during the implementation, and agreed, at Mr. Dorais’ request, to have ARC coordinate these joint BAR/industry workshops.

The Group discussed additional implementation strategies:

- Notify the industry through BAR publications, *Repair Reporter* and *Smog Check Advisory*
- Hold public meetings before and/or during the implementation
- The ARC will coordinate the industry workshops
- Start the six-month pilot program on March 1, 2004

Mr. Dorais indicated that the suggested wording changes would be made over the lunch break and a final draft would be presented after lunch.

◆ **Lunch Break – 11:30 p.m. to 1:10 p.m.**

◆ **Alternatives to the NOV (*continued*):**

The Group reviewed the final draft of the Advisory Notice. Minor changes were discussed and agreed upon. It was suggested that a joint press release be drafted.

If it were to become necessary to rescind an Advisory Notice, the Group agreed that the BAR would send a letter to the ARD confirming the rescission and advising the ARD that the notice would be removed from their file.

◆ **Executive Orders S-2-03 and S-3-03:**

Mr. Dorais provided a brief overview and a copy of Executive Order S-2-03, which requires state agencies to provide various reports on pending and adopted regulations. One requirement of the Executive Order is to have the BAR reassess the business and fiscal impact of all adopted regulations since January 6, 1999. A copy of the list of regulations to be reviewed will be provided to the Group. Comments from the Group on the regulations should be sent to Jim Allen, BAR Regulations Analyst, by January 30, 2004.

Deputy Chief James Goldstene also provided a brief overview and a copy of Executive Order S-3-03, which relates to the state hiring freeze, and discussion followed on its impact on BAR.

◆ **Smog Check Update:**

Deputy Chief Gary Hunter introduced David Amlin and Greg Coburn of the BAR Engineering and Research Branch. Mr. Coburn provided a presentation on the various program implementations that occurred in 2003. Open discussion and questions followed the presentation.

◆ **Items Not on the Agenda:**

Mr. Dorais asked the Group if there were any items for discussion that were not on the agenda. The Sunset Review Hearing and the following issues, as a result of the hearing, were briefly discussed:

- How and when BAR determines to take administrative action
- Training of BAR employees
- BAR mediated consumer complaint involving Advisory Group member Paul Frech

◆ **Agenda Items for Next Meeting:**

Mr. Dorais suggested that the Group discuss issues that might be addressed in future meetings. The following issues were suggested for possible future agenda items:

- Review of sample enforcement/mediation cases raised at the Sunset Review hearing or other public forums
- Trade Standards
- A review of the complaint mediation process
- Smog Check Test-Only directed vehicles (Mr. Dorais suggested deferring until the Inspection/Maintenance Review Committee has a chance to review the issue.)
- Technician Training
- Public/Industry Education
- Performance/Industry Standards – Professionalism of Technicians

The Group discussed the possibility of having meetings more often than every quarter. Mr. Dorais suggested establishing subcommittees that could meet more often on a particular issue and then report back to the Group at its quarterly meetings, which seemed agreeable to the members still in attendance.

◆ **Adjournment:**

Mr. Dorais thanked the Advisory Group and the public for attending and participating in the meeting. The meeting was adjourned at 3:10 p.m.